



Public Notice

**U.S. Army Corps
Of Engineers
Galveston District**

Permit Application No: 23256
Date Issued: 4 February 2004
Comments Due: 8 March 2004

**U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
AND
TEXAS RAILROAD COMMISSION**

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Copano Field Services
2727 Allen Parkway, Suite 1200
Houston, Texas 77019-2153

AGENT: Shiner Mosely and Associates, Inc.
555 North Carancahua Street, Suite 1650
Corpus Christi, Texas 74878-0010
Telephone: 361-857-2211
POC: Catherine Respress

LOCATION: The project is a combination of four linear pipelines, approximately 54,735 feet in length, in Aransas Bay, southeast of Rockport, Aransas County, Texas. The pipelines can be located on the U.S.G.S. quadrangle map entitled Rockport, TX. The NAD 83 UTM coordinates for each segment are in UTM Zone 14.

The first proposed pipeline is in State Tracts (ST's) 167 and 175 as depicted in sheets 2 and 3 of 8 for a total distance of ~2,640 feet in water depths ranging from -11.0 to -12.5 feet Mean Low Water (MLW). It begins at approximately: Easting 694756; Northing 3101500; and ends at approximately: Easting 694775; Northing 3100696.

The second proposed pipeline is in ST's 186, 199, 200, and 201 as depicted in sheets 2 and 4 of 8 for a total distance of ~6,515 feet in water depths ranging from -12.5 to -13.5 feet MLW. It begins at approximately: Easting 695516; Northing 3097895; and ends at approximately: Easting 693824; Northing 3096856.

The third proposed pipeline originates in Aransas Bay, goes through Blind Pass, runs parallel to shore and ends at San Jose Island. It is in ST's 199, 200, 210, 211, 212, 233, 234, 236, and 237 as depicted on sheets 2 and 5 of 8 for a total distance of ~22,910 feet in water depths ranging from -13.0 feet MLW to where it connects with an on-shore well on San Jose Island. It begins at approximately: Easting 693824; Northing 3096856 and continues straight to approximately: Easting 697418; Northing 3093213, which is where it turns approximately 75 degrees and continues in a channel with several minor directional changes to avoid seagrasses. Finally, it ends at approximately: Easting 696653; Northing 3091595.

The fourth proposed pipeline originates in Aransas Bay, goes through Blind Pass, runs parallel to shore and ends at San Jose Island. It is in ST's 186, 201, 202, 209, 210, 234, 236 and 237 as depicted in sheets 2 and 6 of 8 for a total distance of ~22,670 feet in water depths ranging from -13.0 feet MLW to where it connects with an on-shore well on San Jose Island. It begins at approximately: Easting 695516; Northing 3097895 and continues straight to approximately: Easting 697418; Northing 3093213, which is where it turns approximately 45 degrees and continues in a channel with several minor directional changes to avoid seagrasses. Finally, it ends at approximately: Easting 696653; Northing 3091595.

PROJECT DESCRIPTION: The applicant proposes to install, operate, and maintain pipelines necessary for natural gas transportation activities. The applicant proposes to install four 8-inch diameter natural gas pipelines in Aransas Bay. The total length of pipelines that would be installed is approximately 54,735 linear feet. All of the pipelines would be located in waters of the U.S. and on state-owned submerged land. The pipes would be laid by jetting them into place. Immediately following "jetting" there would be a small depression in the bay bottom which would eventually achieve pre-construction contour. A small portion of the trenching would be done mechanically. Where work is done mechanically, the bay bottom would be restored to pre-installation conditions once work is complete. The applicant's plans are enclosed in 8 sheets.

The majority of the 54,735-foot-long project area lies in deep water where no seagrasses or oyster beds are known to exist. The exception is an approximately 6,500-foot-long stretch located between Mud Island and San Jose Island, the northernmost portion of which is in the channel known as Blind Pass. The proposed alignment of the approximate 6,500-foot stretch is within in a 200-foot-wide existing small-craft channel. The last segment of the proposed alignment exits the channel perpendicular to it and connects with an on-shore well. That segment (labeled segment 10 on sheet 5 of 8) is 176-feet-long, approximately 90-feet of which would traverse seagrasses.

The applicant's agent conducted a Pre-Construction Habitat Survey that documents the presence or absence of sensitive habitats within 500 feet of either side of the proposed pipeline route. The survey was used to align the proposed pipeline route to avoid or minimize impacts to aquatic resources by aligning the pipeline equidistant from sea grasses on either side of it. Where the pipeline exits the channel and connects with the on-shore well (segment 10), the applicant estimates that approximately 1,350 square feet (0.03 acres) of sea grass consisting of shoalgrass and turtlegrass may be temporarily affected by the construction activity.

The proposed pipeline installation method is to jet the trench in water depths greater than -3.5 MLW using a shallow-draft barge as a work platform. To minimize potential impacts, the applicant proposes to install and maintain turbidity curtains along the 60-foot-wide work corridor to confine the movement of suspended particles within the water column. In water depths less than -3.5 MLW, which is only in segment 10, the proposed installation method is mechanical trenching. The proposed pipeline would be laid in a 3.5-foot-deep trench with an approximate 15-foot top width and an approximate 4- to 6-foot bottom width. The mechanical trenching activity involves the use of a shallow-draft-barge mounted backhoe that would remain in the existing channel and dig from the channel to halfway to the San Jose shoreline. The excavated material would be placed on the barge while the pipeline is laid and used to cover the line once it is placed within the channel. The remainder of the shoreline would be dug using a land-based backhoe which will temporarily place the excavated material in uplands on San Jose Island.

To mitigate for the possible temporary impacts within the proposed alignment between the small-boat channel parallel with the San Jose Island shoreline and San Jose Island (segment 10), the applicant has proposed to relocate the scattered clumps of oysters. Additionally, the applicant has proposed to transplant the smooth cordgrass vegetation to just south of the project area along the shoreline. The applicant would revisit the project site one year after completion to monitor the re-colonization. If the seagrass has not recolonized to at least 50 percent of its original aerial coverage, the applicant proposes to sprig the area with seagrass to achieve at least 50 percent coverage.

NOTES: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS: Texas Railroad Commission certification is required. Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

THREATENED AND ENDANGERED SPECIES: Threatened and/or endangered species or their critical habitat may be affected by the proposed work. Consultation with the U.S. Fish and Wildlife and/or the National Marine Fisheries Service will be initiated to assess the effect on endangered species.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties,

water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues are substantial and should be considered in the permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **8 March 2004**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections**. Comments and requests for additional information should be submitted to:

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DISTRICT ENGINEER
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